PUBLIC BUILDINGS.*

1. Proposals for the sale of buildings should be submitted to Government, as it is often desirable, before sanctioning such sales, to ascertain if the buildings are required by any other department of the service. (G. R. No. 3911, dated 28th October 1862.)

2. It is expedient that the Public Works Department should be consulted by the Revenue Department in all cases where it is proposed to sell Government buildings in their charge or the remains of such buildings. The Commissioners of Divisions and the Commissioner in Sind are authorized to sell petty or abandoned buildings valued at less than Rs. 1,000 in charge of the Civil Department and not borne on the Public Works returns. (G. R. No. 7073, dated 24th November 1881, and G. R., F. D., No. 1529, dated 17th June 1887.)

3. The Collector should let each kacheri or other building in charge of a guard furnishing a relief of sentries during the night be supplied with a good lantern of ordinary construction, and should give stringent orders that this shall invariably be used when it is necessary to carry about a light for the inspection of locks, seals, &c., during the night.

The lantern should be delivered to the guard every evening by the kacheri *masál*, or other person responsible for keeping it clean and in order, and the guards should be held responsible for reporting when it is not delivered to them in order and in clean condition.

The Collectors should also give such orders as will prevent any of the oil lamps used in the kacheris of their Collectorates from assuming the character of dripping fountains of rancid oil forming offensive heaps of grease and filth where they stand. (G. R. No. 610, dated 20th February 1864.)

4. The standard plan for the Mámlatdár's kacheri having been arrived at after very considerable discussion and consideration on an estimate of average requirements, if more accommodation for records is needed in one place, less should be provided in another. Revenue officers when applying for a new kacheri should state what accommodation for records is needed above or below the average provided for by the standard plan, and their reasons in each case should be given to the satisfaction of the Revenue Department before the matter is taken up by the Public Works Department. (G. R. No. 1114, dated 23rd February 1875.)

5. In proposals for building Mámlatdárs' kacheris, sites are sometimes selected outside the táluka towns, but such situations are open to the following objections:—

(*a*). The inconvenience of distance to the people of the town and those lodging there who have business at the kacheri;

* *Vide* also orders under "Finance and Resource" (sub-head "Public Works").

(*b*) the comparative want of publicity in proceedings going on at the various offices;

(*c*) the greater risks implied in the isolation of the building containing treasure, prisoners, &c., especially at night and in the rainy season;

(*d*) the withdrawal from the town and from immediate call for service of such Police as may be at the kacheri off duty.

A hard and fast rule cannot be laid down, but each site will have to be selected with reference to the above points, which should be carefully borne in mind in submitting proposals for new kacheris.

(G. Rs. Nos. 2933, dated 11th May 1887, and 2114, dated 5th April 1888.)

6. There is no objection to the employment of prisoners undergoing rigorous imprisonment in subordinate jails attached to Mámlatdárs' kacheris for the purpose of watering the trees in the compounds of the offices, provided that convenient arrangements involving no extra expense to Government can be made by the Jail authorities. (G. R., F. D., No. 2370, dated 18th June 1889.)

7. Mámlatdárs and Mahálkaris should keep earthen jars filled with water near the record rooms in their kacheris as a precaution against fire, and it will be one of the duties of all officers examining these kacheris to see that these orders are properly carried out. (G. R. No. 6740, dated 9th September 1889.)

8. The places used for custody of records should be regularly visited by the guards on duty at the kacheri at intervals or at least at the time of reliefs. The Magistrates should instruct the Police Superintendents to arrange for the maximum number of visits which can be given in each case without harassing sentries unduly. The Police should include every public building for which a guard is not specially provided in their ordinary beats or rounds, and should have a special care for the protection of all such buildings.

A board studded with nails should be put near the guard room on which should be hung the keys of the Huzúr offices after they are closed for the night. Over each nail and key the name of the office to which the key belongs should be printed in plain letters on the board, so that the guard could at once open the office door if he saw or heard anything amiss inside a room.

(G. Rs. Nos. 6072, dated 7th September 1888, and 6705, dated 9th September 1889, and G. R., J. D., No. 5823, dated 24th October 1888.)

9. Grants of public money should not be made towards repairing temples even when they are used as chávdis, and no works connected with the repair or building of temples should be entered in the returns of works of public utility. (G. R. No. 4214, dated 11th October 1865.)

10. Chávdis are used and perhaps in their origin were intended for purely Imperial purposes. They are now also devoted to a considerable extent to what may be called Local Fund objects, that is to say, they are used as rest-houses for travellers and for the social gatherings of the villagers themselves. It is, therefore, just that not only should Government contribute Imperial money to the maintenance of the chávdis, but the Local Fund Committees should do so too, and the villagers themselves should assist by giving either money or labour. (G. R. No. 2112, dated 24th April 1874.)*

11. Proposals for making alterations and additions to public offices will not be entertained without full information as to the circumstances which render the expenditure desirable or necessary. (G. R., P. W. D., No. 271-C. W.-1090, dated 19th June 1871; *vide* G. M. No. 3038, dated 23rd idem.)

12. The designs and specifications of all new buildings on the Bombay Esplanade should be referred to the P. W. Department before sanction is granted. (G. R. No. 4447, dated 2nd August 1876.)

13. Every design and estimate relating to buildings must be submitted to the department concerned before being sent to the authority by whom it has to be sanctioned. The plans concerning any particular department should be countersigned by the head of that department, in token of approval of the design and all proposed arrangements.

It is necessary that even if a Collector has signed a plan in token of his approval, the Commissioner, as the head of the department, should also do so. The Inspector-General of Registration and Stamps should be consulted as to dimensions necessary for Sub-Registrars' offices in new Mámlat kacheris. (G. Rs., P.W.D., Nos. 149-C.W.—497, dated 24th March 1886, and 235-C. W.—899, dated 4th June 1892, and G. M. to the Commissioner, N.D., No. 6752, dated 19th September 1893.)

14. When a public officer in civil employ rents a Government building, the officer in charge of the building may inform the Accountant General, in whose circle the officer who rents the building is employed, of the amount of rent payable on account of it, and the Accountant General should make arrangements for deducting the rents from the officer's salary. If, when the officer leaves the station, any rent is still due from him, the fact should be stated in his last pay certificate, so that it may subsequently

* Government Resolution No. 7261, dated 24th December 1875, directed that as a general rule assistance should not be granted from the Imperial grant to chávdis in cases where no village contribution had been raised, and that when a very exceptional case occurred, it should form the subject of a separate report to the Commissioner, who might, at his discretion, allow Imperial money to be given where no village contribution had been raised. Under Government Resolution, Financial Department, No. 1550, dated 20th April 1893, charges on account of construction and repair of chávdis are now treated as countersigned contingencies.

be recovered. (G. I., F. D., No. 2828, dated 17th August 1871, republished in the *Bombay Government Gazette* of 31st idem.)

Note.—It has been laid down in Government Resolution, Public Works Department, No. 108-A—375, dated 3rd March 1892, that it would suit the convenience of all concerned, if rents due from Government officers were recovered by deductions from their salary bills, and that this course should be followed in all departments, when feasible.

15. The following is the standard form of lease for adoption in all cases of hiring of buildings for Government in which special conditions are not deemed necessary :—

'An Agreement made the day of 18 between A.B. of (hereinafter called the lessor) of the one part and the Secretary of State for India in Council (hereinafter called the lessee) of the other part.

The lessor hereby agrees to let and the lessee to take the house situate in the of on the side of the road called to which it fronts, numbered No. by the Municipality (or village officers) now in the occupation of and formerly in the occupation of with the open compound, and separate sheds and out-houses appertaining thereto for the term of months from the day of 18 , and so on from month to month until this lease shall be determined at the end of the said months or of any subsequent month by either party giving to the other two months' previous notice in writing, at the monthly rent of Rs. to be paid in arrear not later than the day of each month, the first of such payments to be made not later than the day of 18 .

And the lessor doth hereby for himself, his heirs, executors, administrators and assigns covenant with the lessee as follows (namely) :—

(1) That he will during the said term keep the said premises in good condition and complete repair to the satisfaction of the *

and that should he fail so to do, the said may on giving to the lessor one month's previous notice in writing execute all such repairs as he deems necessary at his own cost, and recover the amount thereof from the lessor by deducting the amount of the said costs from the rent then due or thereafter from time to time to become payable to the said lessor, or otherwise as he deems fit.

(2) That he will not by notice as aforesaid require the lessee, without the lessee's consent, to deliver up the said premises to him at any time during the monsoon season commencing on the 1st June and terminating on the 31st October in each year.

And the lessee agrees with the lessor to pay the said rent in manner aforesaid, and on the deter-

* (Here enter the name of the officer occuping the premises, or of his superior officer, as may be deemed most suitable in each case.)

mination of the lease to quietly deliver up the said premises.

The lessor agrees with the lessee that he, paying the said monthly rent, may peaceably hold the said premises during the lease without any interruption by the lessor or any person claiming under him.

In witness whereof the lessor hath hereunto set his hand, and *

hath by order of the Governor in Council of Bombay also hereunto set his hand on behalf of the Secretary of State in Council, the day and year first hereinbefore written.

Signed and delivered
by the above named
in the presence of

(G. R., J. D., No. 2986 of 7th May 1877; *vide* G. M. No. 3688, dated 13th June 1877.)

16. The Civil and Military Departments occupying public buildings in Bombay should furnish a return to the Executive Engineer, Presidency, showing how each building is occupied and whether there is any room available for another office or offices in such building. This return should be submitted on the 31st of March of each year, and all intermediate changes in occupation and vacation of buildings should be promptly reported to that officer. (G. R., P. W. D., No. 220-C. W.—688, dated 10th July 1880; *vide* G. R. No. 4001, dated 31st July 1880.)

17. The attention of all Heads of Offices under the Revenue, Financial and General Departments is invited to the orders conveyed in Government Notification, dated 26th March 1844, quoted below:—

"The Honourable the Governor in Council is pleased to resolve that no public office shall be used as a private residence except with the permission of Government"

(G. R. No. 1477, dated 23rd February 1886.)

18. District officers are permitted while on tour to use temporarily a portion of the Mámlatdár's kacheris at Devgad and Málvan in the Ratnágiri District as a residence, it being distinctly understood that no inconvenience will be caused thereby to the transaction of their ordinary duties by the Mámlatdárs and their estblishments. (G. R. No. 2514, dated 1st April 1886.)

19. No Government building should be placed at the disposal of a Municipality without the consent of the Executive Engineer of the District, and the sanction of Government in the Public Works Department. (G.R. No. 2211, dated 22nd March 1889.)

20. The Governor General in Council is pleased to lay down the following rules in supersession of all previous orders, for regulating the rents to be

* (Here enter the name of the officer authorized by the Government of India to execute such contracts.)

charged for Government buildings occupied as residences by Government officials :—

I.—(1) The rent should be a sum which will cover—

(*a*) Four per cent. interest on the actual capital cost of the house and its site;

(*b*) The estimated average annual cost of repairs.

The capital cost of the house should be taken as the cost of the building and its site, together with a sum to cover the share of tools and plant and establishment. The amount to be added for these charges may be specially approved by the Local Government, but should not be taken as less than 20 per cent. on the cost of "works." When there is no record of the original cost of the building, its present value should be estimated by the Executive Engineer of the Division and approved by the Superintending Engineer; and this estimate should taken as the capital cost.

(2) The average cost of annual repairs should be specially estimated in each case by the Executive Engineer on the best data available, and be approved by the Superintending Engineer. Such average cost should not, as a rule, be taken at less than 3 per cent. on cost of a permanent building, or 6 per cent. on the cost of a temporary building, but should be sufficient to cover quadrennial and special repairs. The actual cost of repairs should be compared annually with the amount assessed on this account in the rent; and, when necessary, the rents should be revised.

(3) In calculating the outlay on repairs of any building, a sum should be included to cover the cost of tools and plant and establishment, as defined above.

(4) When a building is occupied partly as a residence and partly as an office for which no rent is paid, the capital value of the portion occupied as a residence should be separately estimated and the rent calculated accordingly.

(5) The actual charge for the rent of a residence occupied by any Government official shall, in all cases, be subject to a maximum of 10 per cent. on the salary and local allowances of the official in actual occupation.

(6) Local Governments or Administrations must, irrespective of the fund from which the cost of the building was met, obtain the special sanction of the Government of India if they desire to reduce the rent of any Government building below that authorized in these rules:—

II.—At stations where owing to excess of available accommodation or to other special circumstances, rents cannot be fixed on the above principles, but must unavoidably be assessed with reference to prevailing rates, sanction to make such

special assessments at the particular stations must be obtained from the Government of India, but the actual rents may be fixed by the Local Government.

III.—When any Government building is, under proper authority, let to a private person, rent shall be regularly recovered for the same at the rates prevailing in the locality for similar accommodation belonging to private owners; but without the permission of the Government of India, the rent charged shall not be less, at any station, than that defined in clause I (1),

IV.—In the case of houses occupied free of rent or at reduced rents by any Government officials, the authority under which the reduction is made should, in every case, be communicated to the Examiner of Accounts, in order that he may enter it in the return which is submitted to the Accountant General, Public Works Department, under Public Works Department Circular No. 3-P.W., dated 10th September 1887.

V.— * * * *

VI.—The above rules are not applicable to officers in regimental employ, nor to upper subordinates in the Public Works Department paying rent under Code XI, Section 29, nor to members of the subordinate Revenue Staff of State Railways.

As some misapprehension appears to exist concerning the interpretation of Section IV, it is considered necessary to explain that it is not intended to make any alteration in the rents of Government houses, occupied free of rent or at reduced rents by Government officials, when any specific sanction of the Government of India can be quoted for the existing practice. It is essential that the number and date of the letter giving the sanction of the Government of India should be communicated to the Examiner of Accounts. As, however, there may be probably be cases in which the grant of free quarters or reduced rents is no longer necessary, Local Governments and Administrations should, in such cases, assess rents under the rules laid down in the Resolution.

The Government of India has had under consideration certain cases of rents chargeable to officers drawing not more than Rs. 100 a month, and who, for the convenience of their work, are practically compelled to occupy certain houses. The Governor-General in Council is pleased to issue the following supplementary rules with reference to these cases:—

(1) In the case of Government servants drawing salaries not exceeding Rs. 25 a month, Local Governments and Administrations are author-

ized to charge whatever rents are thought suitable, or to remit rents entirely, according to the circumstances of each case.

(2) In the case of Government servants drawing salaries exceeding Rs. 25 but not exceeding Rs. 100 a month, who are not already charged rent under any special rule of the Government of India, the amount of rent to be charged shall be fixed by the Local Government or Administration, subject to a minimum of five per cent. on the salary and local allowance of the occupant of the house.

(G. I., P. W. D., Nos. 479-B., dated 7th September 1888, and 214-B., dated 8th June 1889; *vide* G. Rs., P. W. D., Nos. 245A-1645, dated 26th September 1888, and 242A-1114, dated 25th June 1889, and G. M. No. 6096, dated 20th August 1889.)

21. The productive power of a compound should be treated as a reason for enhancing the rent of the building. Municipal taxes should be considered whenever the clause has to be used under which an officer's rent is not to exceed 10 per cent. of his salary; and where a rent has to be reduced in pursuance of this condition, Municipal taxes *should* be treated as part of the rent, *i.e.*, the rent *plus* tax must not exceed 10 per cent. of the occupant's salary. (G.I., P.W.D., No. 647-B., dated 31st December 1888; *vide* G. R., P.W.D., No. 33-A.-135, dated 21st January 1889.)

22. The proceeds of the sale of all trees, fruit and grass, &c., in the compounds of Government buildings, used as offices, hospitals, &c., should be credited to Public Works Provincial Revenue, the disposal of the timber being in the hands of the Executive Engineer, and that of the other products in those of the head of the establishment occupying the premises.

The proceeds of the sale of all trees in Government buildings occupied as residences will be paid in to the Executive Engineer, without whose sanction no trees should be cut down, to be credited to Public Works Provincial Revenue. The produce of all fruit, trees, grass, &c., will be the property of the tenant for the time being, and the value of the same should be taken into consideration when fixing the rents of such buildings. These rules do not refer to Military Cantonments.

(G. R., P. W. D., No. 139-A.-686, dated 6th April 1889; *vide* G. M. No. 3622, dated 17th May 1889.)

The trees growing in the compounds of the buildings at Khárághoda are as a specia lease exempt from this ruling. (G. R., P. W. D., No. 14-A.—52, dated 7th July 1890; *vide* G. M. No. 509, dated 21st idem.)

23. All the central distilleries are furnished with small lines for the A'bkári Police guarding them, as the repairs of such buildings are done by the A'bkári contractors under the terms of their contracts. The contractors pay only a nominal rent for the use of the whole distillery buildings and premises, and are bound to maintain the whole in

substantial repair to the satisfaction of the responsible local authorities. The buildings and their distribution between the contractor and the Government establishments employed at the distilleries pertain to the A'bkári Department. The A'bkári Commissioner will see that effect is given in all future contracts to the arrangement described. (G. R. No. 3118, dated 31st March 1892.)

24. No charge whatever should be levied from Government officials occupying district as distinguished from travellers' bungalows, and Assistant and Deputy Collectors in charge of the tálukas in which these bungalows are situated should be given a preferential right to occupy them. (G. R. No. 2670, dated 10th May 1873.)

25. Charges on account of district bungalows should be debited to Land Revenue on the principle that these bungalows are maintained for the accommodation of public officers engaged in that branch of the administration. (G. R. No. 2671, dated 10th May 1873.)

26. The following are the regulations for travellers' bungalows under Provincial control :—

I. The bungalows are for the temporary accommodation of travellers.

II. Regimental non-commissioned officers and soldiers, when not with detachments, or provided with lodging by the State, may take shelter in the bungalows, and for this no charge will be made. They must, however, vacate in favour of other travellers requiring the rooms, under the ordinary regulations. It will be understood that the exemptions granted to Regimental non-commissioned officers and soldiers on duty, does not apply to Staff Serjeants, or Telegraph or Railway subordinates.

III. The fee is one rupee per diem for each person occupying a separate room. Two or more persons occupying the same room to pay only the single fee of one rupee. Uncovenanted ungazetted officers of all departments in receipt of a monthly salary not exceeding Rs. 200 when on duty during the rainy season, *i. e.*, from 1st June to 31st October, should be allowed to occupy travellers' bungalows on payment of a fee of 8 annas per diem instead of the full fee of one rupee; but this concession does not apply to those who pay half fee only for occupying the bungalow between sunset and sunrise; 8 annas is the minimum fee. (G. Rs., F. D., Nos. 3453, dated 27th September 1880, 381, dated 2nd February 1882, and 3872, dated 25th October 1883.)

IV. Travellers passing the night at the bungalow pay the full fee.

V. Travellers occupying the bungalows between sunrise and sunset only are subject to half fee.

VI. (Cancelled; *vide* G. R., F. D., No. 381, dated 2nd February 1882.)

VII. No one may occupy the same bungalow for more than three consecutive days, if the accommodation is otherwise required, without the permission of the Superintending Officer, who is usually the Executive Engineer of the District.

VIII. No person may occupy more than one room when the others are in demand.

IX. Officers and gentlemen in the service of Government are subject to the same fees for occupancy when travelling on duty as under other circumstances.

X. The Superintending Officer is responsible that the rooms be adequately furnished with plain cots, tables and chairs.

XI. A printed form changed monthly, will be kept in the bungalow. In this travellers are requested to enter their names, dates of arrival and departure, and amount of fees paid.

XII. Travellers are prohibited from sheltering their horses or other cattle or vehicles within the verandas of the bungalows.

XIII. Travellers will be held responsible for damage done by themselves or their servants to the bungalows or furniture.

XIV. There is a peon in each bungalow, who is bound to assist travellers in procuring supplies and carriage for ready money.

XV. The messmen who are established in some bungalows are required to place conspicuously in each room a list of charges, countersigned in approval by the Superintending Officer. If travellers prefer to procure their own meals, the peon is bound to afford them assistance, and they have the use of the cook-room.

XVI. The Superintending Officer is the referee in all cases of dispute. Travellers who have any complaints to make should address that officer by letter, or enter their complaint in the "Remarks" column of the printed form.

XVII. It is requested that all fees and demands, in accordance with the foregoing regulations, or the mess charges authorized by the Superintending Officer, be paid by travellers before leaving the bungalow; any irregularity, inconvenience, or other supposed cause for exemption from the regulated payment being referred to the Superintending Officer.

XVIII. It is the duty of the peons to report any violation of the foregoing regulations.

Note.—No part of a bungalow or of the bungalow compound may be used, nor may the servant be employed without payment of the regulated fee; and travellers using their own tents should be so informed.

Travellers who do not intend to use the bungalows must pitch their tents outside of the compound enclosure.

(G. Rs., P. W. D., Nos. 444A-2656, dated 19th December 1873, 32A-177, dated 6th February 1874, and 66A-331, dated 4th March 1874; *vide* G. Ms. Nos. 836, dated 14th February 1874, and 1349 dated 16th March 1874.)

27. When the charges for maintenance and the receipts of a traveller's bungalow are entered in the Provincial Budget, Government Resolution, Financial Department, No. 2270, dated 2nd July 1879,* should apply, crockery and glass being regarded as ordinary articles of furniture. Where the maintenance and receipts of a traveller's bungalow are entered in the Local Fund budgets, the charges on their account may be sanctioned by the Commissioners with proper budget provision. (G. R., F. D., No. 3765, dated 11th October 1881.)

28. Collectors are authorized to incur smal charges connected with travellers' bungalows up to a maximum limit of Rs. 120 a year. (G. Rs., F. D., Nos. 2195, dated 14th June, and 2711, dated 22nd July 1882.)

29. The *pagi* or peon in charge of each district or traveller's bungalow should be made to look after the trees in its compound. The trees in the compounds of bungalows controlled by the Public Works Department should be in the charge of the Executive Engineer of the District and those of bungalows under the Collector's control should be under that officer's charge. Attention should be paid to the conservancy and growth of trees in these compounds. (G. R., F. D., No. 1019, dated 20th March 1891.)

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* *Vide* Chapter XII of the Accountant-General's Circular on the subject of contingent charges approved by Government Resolution, Financial Department, No. 2918, dated 27th August 1899.